

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ITHACA CAPITAL INVESTMENTS I, S.A., ITHACA  
CAPITAL INVESTMENTS II, S.A., and ORESTES  
FINTIKLIS,

Civil Action No. 1:18-cv-390

Plaintiffs,  
- against -

TRUMP PANAMA HOTEL MANAGEMENT LLC,  
and TRUMP INTERNATIONAL HOTELS  
MANAGEMENT, LLC,

Defendants.

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**CIVIL CASE DISCOVERY PLAN AND SCHEDULING ORDER**

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case is to be tried to a jury.
3. Joinder of additional parties must be accomplished by no later than thirty (30) days after the filing of amended pleading(s), if any.
4. Amended pleadings may be filed in accordance with the Federal Rules of Civil Procedure, or pursuant to an order of this Court.
5. Interrogatories shall be served no later than November 27, 2019, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall apply to this case.
6. First request for production of documents, if any, shall be served no later than May 23, 2019.
7. Non-expert depositions shall be completed by October 15, 2019.

- a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
- b. Depositions shall proceed concurrently.
- c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
8. Any further interrogatories, including expert interrogatories, shall be served no later than February 12, 2020.
9. Requests to Admit, if any, shall be served no later than February 12, 2020.
10. Expert reports shall be served no later than December 20, 2019.
11. Rebuttal expert reports shall be served no later than January 31, 2020.
12. Expert depositions shall be completed by March 13, 2020.
13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.
14. **ALL DISCOVERY SHALL BE COMPLETED BY MARCH 15, 2020.**
15. Any motions shall be filed in accordance with the Court's Individual Practices.
16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
17. The Magistrate Judge assigned to this case is the Hon. \_\_\_\_\_.
18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
19. The next case management conference is scheduled for \_\_\_\_\_, at \_\_\_\_\_. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: New York, New York  
May \_\_\_\_, 2019

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Edgardo Ramos, U.S. District Judge

Pursuant to Paragraph 13 of the Civil Case Discovery Plan and Scheduling Order, the Parties hereby agree, and the Court so orders, as follows:

1. The parties shall exchange initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) on or before May 31, 2019.
2. Discovery in this action may involve the exchange of confidential information, for which a Confidentiality Order may be required. The parties shall meet and confer regarding a proposed confidentiality order and provide a proposed form of order to the Court on or before June 14, 2019.
3. Discovery in this action will involve the production of electronically-stored information (ESI), for which a standardized production protocol will serve the efficient conduct of this litigation. Accordingly, the parties shall meet and confer regarding a proposed ESI protocol and provide a proposed form of order to the Court on or before June 14, 2019.
4. On or before October 15, 2019, any party intending to rely on an expert opinion in support of its claims and/or defenses shall disclose to all other parties such expert, his/her *curriculum vitae* and/or resume, as well as any litigations in which such expert has testified and/or rendered an opinion within the preceding five (5) years.
5. The parties shall attend mediation by no later than November 29, 2019.